

REMARKS

Applicant thanks the Examiner for the allowance of claims 9, 11, 18, and 19 in the above-identified application.

Applicant has previously cancelled claims 1-3, 6-8, 10, 12-17, and 20. This present amendment cancels claims 4 and 5.

Claim 9 has been amended to more clearly define the invention. Support for this amendment, as well as for newly added claims 21-23, can be found on page 19, lines 1-3 ("In certain embodiments, [the invention] administers any, or all, of four questions to the patient: two visual analog (Pain and Mood) and two category scales (Pain Severity and Pain Relief)"); page 35, line 25, through page 36, line 13; and Figures 12-15).

Claims 24-27, all dependent on claim 9, have also been added. Support for claim 24 can be found in original claim 2. Support for claim 25 can be found in original claim 3. Support for claim 26 can be found in original claim 6. Support for claim 27 can be found in original claim 7.

After entry of the present amendment, claims 9, 11, 18, 19, and 21-27 are pending.

Objection to Specification

Applicant has amended the specification in view of the Examiner objection by stating that the present application is a continuation-in-part of U.S. Application No. 09/453,770, filed December 2, 1999, now U.S. Patent, 6,248,079 (issued June 19, 2001) which was based on and claimed the benefit of PCT/US00/41672, filed October 27, 2000, which was based on and claimed the benefit of Provisional Application No. 60/240,774, filed October 16, 2000), which are hereby incorporated by reference.

Applicant respectfully requests that this objection be withdrawn.

Rejections Under 35 U.S.C. §103(a)

Claims 4 and 5 have been rejected under 35 U.S.C. §103(b). Applicant, in order to advance the prosecution of this application, has cancelled rejected claims 4 and 5, thereby rendering this rejection moot.

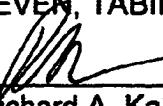
CONCLUSION

Applicant respectfully submits that all pending claims (nos. 9, 11, 18, 19, and 21-27) are allowable and respectfully requests that this case be passed to issue.

If the Examiner believes that a telephonic or personal interview would be helpful to terminate any issues which may remain in the prosecution of the Application, the Examiner is requested to telephone Applicant's attorney at the telephone number set forth herein below. The Commissioner is hereby authorized to charge any additional fees which may be required in the Application to Deposit Account No. 06-1135.

Respectfully submitted

FITCH, EVEN, TABIN & FLANNERY

By: 

Richard A. Kaba
Registration No. 30,562

April 22, 2004

120 South LaSalle St., Suite 1600
Chicago, Illinois 60603-3406
(312) 577-7000